

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA**

BEASLEY, ALLEN, CROW, METHVIN,)	
PORTIS & MILES, P.C.)	
)	
Plaintiff,)	
)	
V.)	Case No. 2:24-CV-00582
)	
THE SMITH LAW FIRM, PLLC,)	
ROBERT ALLEN SMITH, JR., and)	
PORTER MALOUF, P.A.,)	
)	
Defendants.)	

MOTION TO RECUSE

The Smith Law Firm, PLLC, and Robert Allen Smith, Jr. (collectively, “Smith Defendants”), respectfully move Judge R. Austin Huffaker, Jr., to recuse, stating the following in support thereof:

1. Plaintiff is an established law firm in Montgomery, Alabama, where it has been based since 1979. In the Court’s December 10, 2024, initial status conference, Your Honor disclosed his previous representation of Plaintiff and its attorneys before being appointed as a United States District Judge. Smith Defendants understand that Your Honor’s regular representation of Plaintiff involved various matters over a period of years, all of which ended more than five years ago. Smith Defendants are not aware of the nature and subject matter of each engagement.

2. Smith Defendants move for recusal under subsection (a) of 28 U.S.C. § 455, which provides that judges “shall disqualify [themselves] in any proceeding in which

[their] impartiality might reasonably be questioned.” This is a broad provision designed in a simple fashion to promote public confidence in the integrity of the judicial system.

3. Given Your Honor’s prior advocacy in private practice for Plaintiff, a disinterested observer could reasonably question the Court’s impartiality in this action. Smith Defendants therefore respectfully move Your Honor to recuse at the outset of this litigation so that no questions of impartiality or clear objectivity exist.

s/ Joel D. Connally ASB-3751-Y72J
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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of December 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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